

Message Text

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17

ACTION EUR-25

INFO OCT-01 ISO-00 PM-07 CIAE-00 INR-10 NSAE-00 RSC-01 L-03

EB-11 TRSE-00 OMB-01 NEA-14 DRC-01 /074 W

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R 180520Z JUN 74

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 4635

AMCONSUL ISTANBUL

NAVY JAG WASHDC

LIMITED OFFICIAL USE ANKARA 4747

E.O. 11652: N/A

TAGS: MOPS, TU

SUBJ: USS INDEPENDENCE CABLE DAMAGE AUGUST 6, 1973--EXCHANGE RATE
TL/DOLLARS

REF A. 123208, B. ANKARA 4345, C. STATE 109743

1. SUBSTANCE REF A TRANSMITTED TO FOREIGN MINISTRY JUNE 14, 1974.
BY AIDE-MEMOIRE AND PARA B REF C REITERATED BY EMBOFF TO MFA
ACTION OFFICER.

2. ON JUNE 17, MFAOFF TELEPHONED FOL GOT-PTT RESPONSE ON
EXCHANGE RATE TL/DOLLARS: (A) PTT INSISTS ON PAYMENT OF
7,918,303.60 TL TO SETTLE CLAIM AS AMOUNT ORIGINALLY CLAIMED,
SPENT FOR REPAIRS AND NOW NEEDED FOR REIMBURSEMENT OF
FUNDS ACTUALLY SPENT. (B) MFA SUGGESTED U.S. GOVT COULD
AVOID LOSS AND STILL SATISFY PTT FIGURE THROUGH
PAYMENT IN A THIRD CONVERTIBLE CURRENCY SUCH AS GERMAN MARKS
WHICH HAD NOT BEEN AFFECTED BY RECENT TL REVALUATION AGAINST THE
DOLLAR.

3. EMBOFF POINTED OUT THAT MFA SUGGESTION IN PARA 2 B ABOVE
NOT GERMANE TO POSITION THAT WASHINGTON TAKING, I.E., THAT
TL CLAIMED AND SPENT BY PTT PRIOR TO THE MAY 74 REVALUATION
HAD LESS VALUE THAN TL AFTER REVALUATION AND THEREFORE
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ORIGINAL FIGURE OF 7,918,303.60 TL NOW REPRESENTS A

VALUE IN EXCESS OF THAT FIRST CLAIMED AND SPENT BY PTT,
PARTICULARLY THAT PART USED TO PURCHASE DOLLARS TO
COVER COSTS OF NEW CABLES.

4. MFAOFF PERSISTED IN REQUEST THAT EMBASSY TRANSMIT PTT
POSITION TO WASHINGTON, NOTWITHSTANDING OUR COMMENTS
REPORTED PARA 3 ABOVE.

5. COMMENT: WE HAVE ALSO POINTED OUT TO MFA THAT CLAIMS
SETTLEMENTS AT EXCHANGE RATE PREVAILING AT TIME CLAIM
PRESENTED IN ACCORDANCE ADMIRALTY CASE LAW. HOWEVER, WE
HAVE RESERVATIONS REGARDING NORMAL PRACTICE INTERNATIONAL
LAW, WHICH MFA HAS INFORMALLY CITED, IN SITUATIONS LIKE
THIS ONE. DEPARTMENT THEREFORE REQUESTED SUPPLY ADDITIONAL
ARGUMENTATION TO DEMONSTRATE THAT U.S. POSITION
REFLECTS STANDARD INTERNATIONAL PRACTICE.
MACOMBER

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Message Attributes

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